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REQUEST FOR COUNCIL ACTION		Meeting Date 03/03/03
AGENDA SECTION Rochester Public Utilities	ORIGINATING DEPT: Consent Agenda	ITEM NO. D-28
ITEM DESCRIPTION: Consideration of Public Utility Board Action		PREPARED BY: Kathy Wilson
<p>The Rochester Public Utility Board has approved the following on February 25, 2003 and requests the Common Council's favorable consideration:</p> <ul style="list-style-type: none">- to approve a resolution to approve a contract agreement, subject to review of the terms and conditions by the City Attorney's Department, with the Minnesota Department of Transportation (MNDOT) and that the Common Council authorize the Mayor and the City Clerk to execute the agreement for Highway 52 Project Relocation Agreement No. 83946.		
GENERAL MANAGER: <i>Jerry Koskinen Feb 26, 2003</i>		
COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____		

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FOR BOARD ACTION

Agenda Item # 5.b.

Meeting Date:

02/25/03

SUBJECT: Highway 52 Project
Reimbursement Agreement Approval

PREPARED BY: Greg Woodworth
Engineering Manager

ITEM DESCRIPTION:

The Highway 52 Project includes the relocation of many RPU facilities. The Crosstown Q7 Transmission Line and two small distribution lines in the area of 19th Street are reimbursable projects since they are located within utility easements or licenses. The two distribution lines are located in platted easements. The transmission line is located within a railroad license granted in 1978.

Attached you will find a letter and a redlined copy of the reimbursement agreement that was submitted to us in late January. Upon review of the agreement we were unable to execute the agreement for the reasons noted in the letter. We have not had a reply from the State regarding our request by the time this Board packet was put together. We have, however, had a request from MNDot and Zumbro River Constructors (ZRC), the design build contractor, to change the location and foundation of an already-purchased steel pole. This will increase the cost of the relocation from the estimate.

In addition, on Friday, February 14th, we were requested to relocate a portion of the duct bank carrying four backbone feeders along the railroad tracks crossing under the existing Highway 52 bridge to allow the construction of new bridge abutments. MNDot wishes us to pursue this relocation as quickly as possible. The estimated cost of the duct relocation will be over \$750,000 and could be as high as \$900,000, depending on the final route. Attached is our February 19th letter on this relocation.

The original request for reimbursement was submitted in September. MNDot offered an unacceptable contract for reimbursement in late January. The amount of reimbursable work now appears to be approximately \$1,250,000 and could be climbing. Due to the long administrative time required to get the contract executed and the tight time schedule required by the Highway 52 project, staff is requesting that the Board approve a reimbursement contract for the Highway 52 reimbursable work in concept, subject to final wording acceptable to the General Manager and the City Attorney. This somewhat unique request is being made since time appears to be of the essence on the relocation work.

UTILITY BOARD ACTION REQUESTED:

The Board is requested to approve a reimbursement agreement with the Minnesota Department of Transportation for reimbursable work on the Highway 52 project. The wording of the final agreement shall be subject to acceptable final wording being crafted by the General Manager and the City Attorney.


General Manager

2-21-03
Date